

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

AGENCY

CHARGE NUMBER

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FEPA

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EEOC

130-2004-04248

and EEOC

State or local Agency, if any

NAME (Indicate Mr., Ms., Mrs.)

Mr. Barry Lewis Buckhanon

HOME TELEPHONE (Include Area Code)

(334) 283-8427

STREET ADDRESS

497 Kent Road

CITY, STATE AND ZIP CODE

Tallasse, Alabama 36078

DATE OF BIRTH

11/24/76

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME Huff & Associates
Construction Co., Inc.

NUMBER OF EMPLOYEES, MEMBERS
Unknown

TELEPHONE (Include Area Code)
(334) 749-0052

STREET ADDRESS

1220 Fox Run Pkwy.; PO Box 2427; Opelika, Alabama 36803-2427

CITY, STATE AND ZIP CODE

COUNTY

Lee

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

AUG 31, 2004

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

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RACE

☐

COLOR

☐

SEX

☐

RELIGION

☐

AGE

☐

RETALIATION

☐

NATIONAL

☐

DISABILITY

☐

OTHER (Specify)

ORIGIN

DATE DISCRIMINATION TOOK PLACE

EARLIEST (ADEA/EPA)

LATEST (ALL)

☐

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

My name is Barry Lewis Buckhanon and I reside at 497 Kent Road in Tallasse, Alabama 36078. I am currently 27 years of age with a date of birth of November 24, 1976. I completed the 12th grade at Tallasse High School in Tallasse, Alabama. My race is black or African American.

On or about June 1, 2004, I went to work for Huff & Associates Construction Company, Inc. (hereinafter "Huff & Associates") as a laborer. The superintendent on the job site where I was initially employed was a long-time employee of Huff & Associates by the name of Bobby Myers. During the entire time that I worked for Huff & Associates, Mr. Myers was constantly cursing, ridiculing, insulting and otherwise intimidating the minority employees working under his supervision. Mr. Myers routinely used racial slurs in referring to black employees. Mr. Myers made no attempt to hide or suppress his racist views. I have personally heard Mr. Myers use a variety of racially derogatory terms in referring to black and other minority employees. On one occasion I overheard Mr. Myers say, "I ain't going to put up with a bunch of ignorant niggers on my job". On another occasion Mr. Myers became enraged over something and in speaking directly to me and another black employee by the name of Rodney Fraley said, "Your kind don't know anything". In that same conversation Mr. Myers, in referring to

(See Continuation Page)

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF COMPLAINANT

Barry Lewis Buckhanon

SUBSCRIBED AND SWORN TO BEFORE ME THIS 8th DAY OF AUGUST, 2004
(Day, month, and year)

Date 8/30/04

Charging Party (Signature)

EXHIBIT

A

The Particulars Are:
(Continuation Page)

another black employee, said, "Niggers like him don't know anything". Mr. Myers also made insulting and denigrating comments to the Hispanic workers on the job site. For instance, he would tell them that "they needed to go back to Mexico and that they did not know anything". Since Mr. Myers was the highest ranking employee of Huff & Associates on the job site, his constant cursing, ridiculing, insulting and otherwise intimidating behavior created a hostile work environment for all minority employees including myself.

My last day to work for Huff & Associates was Monday, July 26, 2004. On that day Mr. Myers got angry with me because I asked if some of the other workers could get in out of the rain. Later that day Mr. Myers told me "Don't come to work tomorrow - take tomorrow off". I expected to be able to return to work on Wednesday of that week but on Tuesday Mr. Myers told a friend and co-worker by the name of Rodney Fraley that I had been terminated.